



John L. Salomone  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

**MAYOR JEFF WRIGHT**

## MINUTES

### NEWINGTON TOWN COUNCIL MEETING

**April 14, 2009 - PRELIMINARY**

Mayor Wright called the meeting to order at 7:00 PM in the Council Chambers of the Newington Town Hall.

#### **I PLEDGE OF ALLEGIANCE**

#### **II ROLL CALL**

Councilors Present

Councilor Banach  
Councilor Boni  
Councilor Bottalico  
Councilor Bowen  
Councilor Cohen  
Councilor Lenares  
Councilor Nagel  
Councilor Nasinnyk  
Mayor Wright

Staff Present

Town Manager John Salomone  
Ann Harter, Finance Director  
Town Attorney Ben Ancona  
Police Chief Richard Mulhall

#### **III PUBLIC PARTICIPATION – IN GENERAL**

Mary Udice, 26 Dalewood Road: Mrs. Udice addressed her statements to Mayor Wright, Deputy Mayor Lenares and Councilors Boni, Bottalico and Nagel. She remarked that those five Councilors made the decision at the last meeting that the roads are far more important than the safety of the adults and teenagers that work at and attend Newington High School. She stated that adding funding to the road repair fund rather than the school code compliance fund is appalling and irresponsible. She noted that the State is currently offering a \$0.55 reimbursement for every dollar spent on the project, meaning that if the Town allocated the \$200,000 towards the project it would have received \$110,000 back from the State which could have been reinvested or used to lower taxes next year. She stated that NHS has already been cited by the federal government for failure to comply in the following areas: the pathways to the soccer field, ramps, doors that open in but do not open out, doors that need lower handles, widened classroom doorways, all of which are direct violations of the Americans with Disabilities Act. Mrs. Udice stated that due to the weakened economy it makes sense for the Town to take advantage of the State reimbursement right now.

Michael Udice, 26 Dalewood Road: Mr. Udice stated that he is a freshman at Newington High School. He stated that there are certain parts of the High School that need repair and stated support for adding

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the \$200,000 to the school code compliance fund. He noted that one of the biggest problems is the elevator and explained that sometimes the door does not work properly and the elevator doesn't always go to the proper floor. Mr. Udice stated that the entry doors at the school are quite heavy and can be very difficult to open for those who use a walker or a wheelchair. He stated that it takes two or more people to hold the door, which makes him very dependant on other people and suggested that a solution to the problem would be a power-assisted door so that he can open doors on his own. He stated that each classroom needs a desk that allows for a wheelchair or a regular chair. He urged the Council to put the students' safety before the road and to fund the school code compliance project.

Clark Castelle, 167 Connecticut Avenue: Mr. Castelle stated that he is one of Michael Udice's tutors and indicated that Mr. Udice is very aware of the fact that he is representing many students and visitors that attend the schools. He stated that the Town should spend money on areas it can address while getting reimbursement from the State. He stated that he has read the list of ADA violations in the school and stated that it is impossible for him to believe that the Councilors have not come to the conclusion that this is by far the most important issue for the Town to address. Mr. Castelle noted that he spent thirty-five years in the property liability insurance business and stated that he knows a property liability when he sees one, and remarked that he has a sense of how much it will cost to fix the violations. He urged the Council to reallocate funding to the school compliance fund. He stated that this is the most important of the allocations and is the only one that comes with a 55% reimbursement from the State.

Dario Anastasio, 20 Strawberry Lane: Mr. Anastasio thanked the Council for its vote on the parking lot project at the last meeting and stated that it was nice to see people reconsider and not just go along with the Mayor's wishes. He stated that while the downtown area needs improvements, the 55% reimbursement for the school code compliance project is something that the Town should take advantage of now. He stated that the High School has to be brought up to compliance and urged the Council to allocate the \$200,000 towards the project. He again thanked the Council for its vote at the prior meeting.

Peter Arburr, 133 Tremont Street: Mr. Arburr noted that due to financial difficulties in the national, State and local governments he decided that he would follow the Town's budget process from beginning to end this year and remarked that he had felt that he could contribute something positive to the process and to the benefit of the Town residents. He stated, however, that he has come to the conclusion that the process is not people-friendly despite the appearance on the surface that the public has the opportunity to play an integral part in the process. He noted that a series of meetings and public hearings are held during the budget process, but during the public participation portion of each of these meetings the Council remained silent and did not respond to questions or comments. Mr. Arburr observed that the only items that did attract the Council's attention were when the word was put out that there might be a possible reduction in the Board of Education's requested budget, resulting in concerned citizens flooding the Council Chambers to express their opinions and also the proposed \$300,000 in funding to be allocated to the downtown parking lot project. He stated that other than these two items the process would have been business as usual with the budget passed in the vacuum of the majority party in control of the Council. Mr. Arburr stated that he now understands the public's reluctance to speak at Council meetings because in most cases their input falls in deaf ears. He commented that the Council's inability to consider his proposal to leave \$700,000 in the fund balance account this year is shortsighted because the recession will continue and will be in place for the 2010-2011 budget year, resulting in a need for the next Town Council to have funding in the fund balance account for the 2010-2011 budget year. He stated that there is a strong possibility that the AFSCME union will not agree to a wage freeze in 2010-2011 because the police and teacher unions did not vote to participate this year and noted that there is also a strong possibility that State aid could be lower next year than this year. (Mayor Wright requested that Mr. Arburr wrap up his remarks). Mr. Arburr inquired whether he could return to finish his remarks. Mayor Wright replied that he could finish his remarks during the second public participation portion of the meeting.

Esther Eddy, 39 East Cedar Street – Owner and Broker of Century 21 Eddy: Mrs. Eddy stated that her business is located on Constitution Square and she also owns the building on Constitution Square. She noted that she is speaking on behalf of the Newington Downtown Business Association. She spoke in support of downtown revitalization and remarked that it is more than just revitalization – its beautification and enhancement of the area. She noted that the State has awarded a \$1 million grant for the project and urged the Council to take the funding and move forward with the project. Mrs. Eddy stated that Newington has been trying to bring businesses to the center of Town for many years and noted that while the Town has beautified businesses on Main Street it has failed to address businesses around the

square. She noted that the area business owners are also taxpayers and stated that they deserve to have the square updated in order to bring people to the center of Town and for businesses to be successful.

Valerie French of French's Worldwide Travel, 50 Market Square: Ms. French stated support for the downtown revitalization project. She indicated that the \$1 million State grant will probably not be enough to complete the project and she urged the Council to allocate the funds, including the property acquisition necessary to complete the project. She remarked that the project should be completed all at once this year, rather than in phases that would have to be debated year after year. Ms. French stated that her family has owned a business in Town for twenty-five years and has seen very little investment in the center. She stated that while the Town did a great job upgrading Main Street it is time to address the other areas of the center. She stated that the Town's center has a unique geography of being a truly walkable Town center and stated that this project is the first step towards creating a beautiful area where people can gather, patronize the shops and enjoy all the Town has to offer. She noted that most of the people who own businesses in the center are Town residents and all are Town taxpayers and remarked that an investment in the center is an investment in the infrastructure and will encourage the economic development of the Town.

Sandy Lallier, 27 Elton Drive: Mrs. Lallier thanked the Council for not allocating the \$300,000 towards downtown revitalization. She agreed that revitalization is important but stated that even in her own home there are a lot of projects that her family wants to do but have been put on hold. She stated that the Town can do a lot with the project with the \$1 million grant. She noted that she didn't realize prior to the previous meeting the Town receives a 55% reimbursement for the code compliance project and stated that while she was happy to see some of the \$300,000 allocated to the roads and the parks she feels that some of the funding should have gone towards the school code project. She stated that while she supports downtown revitalization now is the wrong time and remarked that now would be a better time to invest in the schools and the students. She stated that the High School was built years ago and is in need of updates and now is the time to invest in our children.

Ben Jordan, 702 Church Street: Mr. Jordan stated that he is freelance photographer. He stated that he strongly believes in downtown revitalization because he works with businesses in that area and he believes that the area has a lot of potential. He stated that he is a member of the Chamber of Commerce and the Downtown Business Association. He noted that the Downtown Business Association recently held an Easter egg hunt in which twenty-eight businesses participated and despite the poor weather he had photographed seventy-seven participants. He stated that the attendance was probably double those that were photographed. He noted that the Mayor has expounded quite a bit on the potential of the Market Square area and quoted the Mayor as saying that "You people are the heart and soul of Newington. I am depending on you." Mr. Jordan remarked that he hopes that as area activities become more and more popular that the Mayor is pleasantly surprised and he thanked the Council for its time.

Maureen Klett, 104 Harold Drive: Mrs. Klett clarified her comments at the previous meeting and stated that while she could easily support the \$300,000 being allocated toward the downtown revitalization project she would not support doing so when approximately \$300,000 collectively has been taken away from AFSCME employees in the form of pay freezes. She stated that these employees are Town residents or work in the Town and they have mortgages, families and bills to pay. She applauded the Mayor for being able to obtain the \$1 million grant to clean up the center but stated that she does not support taking \$300,000 away from people if the funding is going to be put into the parking lot.

Peter Boorman: Mr. Boorman noted agenda item IV-E, Discussion of legal opinion regarding Councilors serving on Boards, Committees and Commissions. He noted that he spoke about this topic at the last meeting and reiterated that based on the information he provided to the Council at the last meeting as well as a review of the Town Attorney's opinion and subsequent explanation he still feels that the Council does not need to take the step of resigning from committees if it does not want to. He explained that the Town has utilized committees so frequently that there are Town Ordinances that require that Councilors sit on certain committees. He stated that the Council creates committees; therefore committees have no power and must come to the Council with recommendations to help the Council make decisions. He stated that as such, committees are not offices. Mr. Boorman noted that Atty. Ancona cites the definition of a public official according to the Code of Ethics, and stated that although that definition includes the word "committees" Mr. Boorman indicated that the introductory language of the Code of Ethics speaks in terms of sections - Section 2-42 – Definitions, states "as used in this article, the following words shall

have the following meanings: public officials". Mr. Boorman explained that this means that these definitions only apply to the Code of Ethics and include all people who do anything for the Town because no one should be able to secure an inappropriate advantage by serving on anything, which is why it is included in the Code. He reiterated that the Council does not need to take action on Atty. Ancona's opinion if it doesn't wish to do so, and stated that a committee is not an office.

Kenny Cugino, Main Street business owner: Mr. Cugino stated that his business has an entrance on Main Street and an entrance from the rear of the building. He stated that while it is very important to move forward with downtown revitalization he asked the Town to pay close attention to entrances and exits in order to make the area easily accessible.

Mady Kenny, 53 Crestview Drive: Mrs. Kenny remarked that she has no illusions that anything she has to say will have any impact on the Council's vote on the budget. She stated, however, that she feels compelled to speak. She stated that the \$300,000 that had been considered for the parking lot project should be used elsewhere and remarked that all of the previous studies done without any action resulting from such studies should speak volumes that it is not a priority – especially at this time. She stated that the idea of having several chain restaurants in the center is not rooted in reality, as even in the best of times restaurants are a high-risk business. She urged the Town to fill empty spaces around Town before creating new ones and urged the Town to use the funding towards the school code compliance project. She presented a centerpiece that she made for the Council's table, featuring a rock to represent not being able to get blood out of a stone and to remind the Council that reducing the Board's budget does not make it a better budget, a stick to represent a yard stick to remind the Council to measure itself as it will be measured by the voters in November, a penny to represent common sense and a piece of coal to remind the Council that we are all carbon-based and under pressure can crumble to dust or become a precious stone.

Rose Lyons, 46 Elton Drive: Ms. Lyons thanked the Council for not allocating the \$300,000 towards the downtown revitalization project and agreed with previous speakers that the entire project does not have to be done right now. She stated that she might be in favor of allocating some of the \$300,000 to clean up East Cedar Street and remarked that she would also rather have seen the \$300,000 allocated to the school compliance project. She thanked the Council for its efforts.

Eric Damato, 19 Saddle Hill Circle: Mr. Damato stated that he is a business owner at 93 Market Square. He read a statement from Forrest Doyle, an owner of a business at 64 Market Square, in which Mr. Doyle stated that Newington's downtown parking lot revitalization project has been in the works for fifty years and its time has finally come. Mr. Doyle stated that it is a matter of necessity and if action is not taken soon the lot will deteriorate to the point where it will become impassable and will discourage its use by the public and will require costly maintenance and repair as well as endangering public safety. He stated that the loss of State funding will make the project impossible to fund in the foreseeable future. He stated that the Town cannot afford to complete the project without the grant and it will regret not doing so forever. Mr. Doyle stated that a well-planned and designed Town green will be a significant first step for the Town to take right now to establish an identity for the center of Town. He stated that this can help additional commercial development to take root, resulting in the area blossoming into a more robust and thriving retail and business nexus and noted that additional tax revenue would offset the cost of the project. Mr. Damato then offered his own comments. He stated that this is a difficult decision to make. He stated that while he has two small children and understands the importance of education funding, he also pays for and thrives based on his business in Newington center. He stated that he could have chosen to operate his business in a prettier area with more foot traffic but remarked that he chooses to operate in the center. He strongly encouraged the Council to move forward with the revitalization project and commented that the project will help Newington develop a stronger community.

Dave Marsden, 73 Maple Hill Avenue: Mr. Marsden stated that he is a member of the Development Commission and stated that the Commission has been working on the revitalization project for quite a while. He indicated that the Commission's consensus is that the Town needs this project and stated that his personal opinion is that the Town is going to have to spend money on repairing the parking lot whether or not it moves forward with the project and remarked that it is therefore a given that the project should be done. He stated that the Town has the funding and should move forward. He stated while he is not a business owner in the center he knows the area very well and urged the Council to move forward with the project, either by allocating the funding or by finding a way to stretch the \$1 million grant funding.

Michael Gallon, 43 Cheeny Lane: Mr. Gallon spoke in favor of the downtown revitalization project and encouraged the Council to proceed with the acquisition of the Bonelli property as an important part of the project. He stated hope that the acquisition can be structured in a way that makes economic sense to the Town and stated that it would be difficult to proceed with the project without that piece of property. He noted that well over \$6,000,000 is allocated in the CIP, of which roughly fifty-percent goes to the Board of Education for CIP projects. He inquired whether there is any funding in the Board's CIP for code compliance. He stated that the \$300,000 should not be significant considering the funding available to the Board's CIP on an annual basis.

Steve Woods, 94 New Britain Avenue, Board of Education Member: Mr. Woods stated that the opposition is not towards the downtown revitalization project; rather it is towards taking the money from the CIP, or more specifically from the OCR compliance project. He noted that the CIP had recommended \$1 million dollars be allocated to the project and the Town Manager had requested \$851,000 in his budget, which was cut by the Republican majority of the Council to \$400,000. He requested that the \$300,000 be added back into the OCR project and stated that the Town has the funding available in the road funds for the project and even for the downtown project if it wishes. He implored the Council not to take funding from the OCR project.

(Speaker's name not audible on the tape) The speaker stated that she is a Town resident and a business owner in the center of Town. She noted that she is also a parent whose daughter graduated from Newington High School last year and indicated that her daughter had complained that NHS is too hot in the spring and summer and too cold in the winter. She stated that while she understands the importance of downtown revitalization she stated that she is not sure whether her own daughter would like to be a resident of Town in the future. She remarked that potential residents are interested in education and what schools can provide for their children and stated that she is unsure whether people want to bring their children to Newington High School due to the problems with access and air conditioning. She stated that while she supports revitalization she also supports funding for the school code compliance project.

Councilor Bottalico moved to reorder the agenda to address agenda items V-D and V-E at the beginning of the New Business. Motion seconded by Councilor Bowen. Motion passed 9-0.

Councilor Bottalico moved to add item V-F to the agenda: Bid Waiver for Clem Lemire Paving. Motion seconded by Councilor Nagel. Motion passed 9-0.

Councilor Bowen moved to add item V-G to the agenda: Consideration of Recommendation by the Town Hall Building Committee. Motion seconded by Councilor Nasinnyk. Motion passed 9-0. Councilor Bowen explained that these items have been added to the agenda because they address issues that have occurred subsequent to the agenda being set.

#### **IV CONSIDERATION OF OLD BUSINESS**

##### **A. Adoption of Operating Budget for Fiscal Year 2009-10**

Deputy Mayor Lenares moved the following:

#### **RESOLVED:**

**That the following General Fund appropriations of the Town of Newington are hereby adopted for the fiscal year beginning July 1, 2009 and ending June 30, 2010, in accordance with Section 805 of the Charter of the Town of Newington:**

#### **APPROPRIATIONS:**

<b>Town Government Operations:</b>	
<b>General Government</b>	<b>\$4,289,427</b>
<b>Public Safety</b>	<b>7,328,222</b>
<b>Public Works</b>	<b>4,818,822</b>
<b>Community Develop. &amp; Improvement</b>	<b>497,226</b>
<b>Public Health</b>	<b>121,760</b>
<b>Community Services</b>	<b>1,027,361</b>

Public Library	1,651,326	
Parks & Recreation	1,557,727	
Insurance - Miscellaneous	6,892,241	28,184,112
Debt Service		2,454,328
Metropolitan District		2,592,320
Capital Improvements		3,470,929
Equipment Reserve		374,743
Employee Leave Liability Reserve Fund		84,100
Board of Education		<u>57,548,306</u>
<b>TOTAL APPROPRIATIONS</b>		<b>\$94,708,838</b>

**BE IT FURTHER RESOLVED:**

That, in accordance with Section 805 of the Charter of the Town of Newington, the following General Fund estimated revenues be raised to meet these appropriations:

**ESTIMATED REVENUES:**

Current Taxes	\$73,069,900	
Prorated Taxes	645,000	
Prior Years Taxes	375,000	
Interest & Liens	250,000	
Payments in Lieu of Taxes	2,947,815	
Licenses & Permits	205,700	
Rentals	127,420	
Investment Income	375,000	
Fines	40,000	
Charges for Services	296,550	
Refunds & Reimbursements	18,000	
Sale of Town Property	500	
State Aid	14,236,565	
Federal Aid	4,155	
Miscellaneous	13,500	
Donations	4,400	
Transfers from Other Funds	99,333	\$92,708,838
General Fund Balance Applied		<u>2,000,000</u>
<b>TOTAL ESTIMATED REVENUES AND APPLIED FUND BALANCE</b>		<b>\$94,708,838</b>

**BE IT FURTHER RESOLVED:**

That the Clerk is hereby instructed to place the accompanying General Fund Budget Summary on the record of this meeting to illustrate the above appropriations and revenue estimates.

**BE IT FURTHER RESOLVED:**

That the following budget is hereby adopted for the Public School Capital Improvement Projects Reserve Fund for the fiscal year beginning July 1, 2009 to June 30, 2010:

**APPROPRIATIONS:**

Painting	\$30,000
Carpeting	30,000
District wide Security Devices	30,000
District wide Furniture Replacement	30,000
Athletic Improvements	25,000
Alumni Road Parking Lot	60,000
High School Stage Curtains	10,000
High School Gym Bleachers	25,000
High School Lab 107 Renovation	10,000
<b>TOTAL APPROPRIATIONS</b>	<b>\$250,000</b>

**ESTIMATED REVENUES:**

General Fund Appropriations	\$125,000
Interest Earnings	635
Tuition Receipts	50,000
School Rental Receipts	<u>60,000</u>
<b>TOTAL ESTIMATED REVENUES</b>	<b>\$ 235,635</b>

Motion seconded by Councilor Bottalico.

Councilor Boni inquired about the \$60,000 line item for the Alumni Road parking lot. Town Manager Salomone explained that the item is for resurfacing and repair of the lot. Councilor Banach inquired about the \$497,226 line item for Community Development and Improvement. Town Manager Salomone replied that it is a general fund description for planning and development, including the budgets of the TPZ, ZBA, Development Commission, etc.

Mayor Wright noted that the budget includes \$400,000 in OCR funding for the school code compliance project and also does not allocate any Town funds towards the downtown revitalization project. He stated that the Board's CIP budget is the second highest it has been in a decade and remarked that the Board has received more CIP funding in the past two years than it has over any two other years in the past decade.

Mayor Wright requested a roll call vote. The vote was unanimous in favor of the motion. Motion passed 9-0.

B. Adoption of Long-Range Capital Improvement Plan 2009-10 through 2013-14

Deputy Mayor Lenares moved the following:

**RESOLVED:**

**The Newington Town Council hereby adopts the "Town of Newington Long-Range Capital Improvement Plan 2009-2010 through 2013-2014," a final copy of which will be on file in the Town Clerk's Office.**

**NOTE: This vote is binding only for the funds committed for fiscal year 2009-2010 (attached); the proposed funding for 2010-2011 through 2013-2014 is for planning purposes only and is subject to change through future budget deliberations.**

Motion seconded by Councilor Bottalico.

Councilor Cohen noted that no Council is bound by the proposed future year funding and each Council can decide how to proceed with each upcoming year's funding. She stated that there is another \$1.8 million dollars listed for municipal parking lot renovations in the 2010-2011 long range plans, yet the Council still has not approved or even discussed the project. She stated that she cannot support a long range plan without the Council considering the project. Councilor Bowen inquired whether the \$1.8 million line item is an error in the document. Town Manager Salomone replied in the affirmative and elaborated that \$1 million will be reflected in the 2009-2010 CIP budget.

(Note: The recording is inaudible for the following section until indicated)

Town Manager Salomone distributed a report that outlines the proposed expenditures needed for the Town's parks. He noted that the report shows a strong need for remedial work in many of the parks. Councilor Bowen inquired how much funding will go towards the parks. Town Manager Salomone replied that approximately \$185,000 will be allocated towards the parks.

Councilor Banach remarked that he does not support spending any more than the \$1 million on the downtown parking lot, and noted that there are businesses located on areas throughout Town that need to be addressed. Councilor Nasinnyk inquired whether the CIP Committee met to create a list of recommendations for the long range plan. Town Manager Salomone replied that he incorporated a partial list of the CIP's recommendations into his own recommendations. Councilor Bottalico estimated that about \$90,000 will be allocated for improvements for three parks and noted that the Council cannot tell the Parks and Recreation Department how to spend its budget.

Councilor Bowen stated that there are many businesses throughout Town that need the Town's support.

(Recording resumes at this point)

Councilor Bowen indicated that the Chair of the Downtown Revitalization Committee believes that the \$1 million will pay for the repaving of the parking lot and will cover the costs of addressing the flooding and drainage issues. He stated that it is the Town's responsibility to maintain the parking lot – to keep it clean and in good repair and indicated that there have been concerns about the maintenance of the lot. Councilor Bowen remarked that he is in support of using the \$1 million to repair the lot and again stated that in his understanding the \$1 million will be sufficient to cover the cost of the repairs but stated that he is not in support of including an additional \$800,000 in the long range planning for the lot. He indicated that the partial list of projects submitted to the Town Manager had nothing to do with long range planning and stated that the CIP Committee did not consider the long-range planning.

Councilor Cohen stated that \$1 million will go a long way in the downtown municipal parking lot project and noted that many different numbers, from \$300,000 to \$900,000 have been tossed around, yet there are still no exact figures as to the project's cost nor does the Council know how much the \$1 million will buy towards the project. She expressed disappointment that the \$300,000 was not reallocated back towards the school code compliance project as it is very important to address the need for properly working elevators, ramps, etc., and inquired how it even makes sense to forgo funding on a project that receives 55% back from the State. She also indicated that the Town Hall needs a lot of work and stated that these two items should be looked at as priority items. Councilor Bottalico noted Councilor Cohen's comments that there is no final cost available for the downtown parking lot project and indicated that there is also not a final cost available on the school code project and he remarked that the school code project will not even be completed in the next year. Councilor Cohen stated that the State funding will carry forward to next year and allocating funding toward the project now will tie in the State funding before it is lost. Councilor Bottalico stated that the Town cannot do everything this year, and the decision was to allocate \$400,000 towards the OCR project. He noted that the Board of Education gets \$125,000 per year from the CIP fund, yet it has never allocated one dime towards OCR. Councilor Bowen explained that the \$125,000 in the Board's CIP is used for general maintenance – painting, carpeting, etc. but was never intended to be used towards larger projects. He stated that he wishes that more money had been allocated towards the code compliance project; however, if that cannot be done he is supportive of putting more money into roads and into local parks.

Mayor Wright stated that numbers for projects such as OCR compliance and the Town Hall renovation project are just estimates and stated that no cost numbers for any project are considered final until the project is complete. He stated that he trusts the Town Planner's \$1.8 million cost estimate of the



downtown revitalization project. He noted that while \$1 million may cover the cost of drainage repairs and asphalt, there are many more components to the project, such as architectural engineering services, potential property acquisition, utilities, light posts, sidewalks, benches, garbage cans, curbing, etc. He noted that the Town Hall project does not have final costs yet at this point, and stated that the Town has to trust the estimates provided by the professionals. He stated that the long range CIP is just a general guide point and stated that most people would probably agree with 85-90% of the items on the plan just as most people have agreed on 99% of the budget.

Mayor Wright requested a roll call vote:

Roll Call Vote:

Councilor Banach – No

Councilor Boni - Yes

Councilor Bottalico – Yes

Councilor Bowen – No

Councilor Cohen – No

Councilor Lenares – Yes

Councilor Nagel – Yes

Councilor Nasinnyk – No

Mayor Wright - Yes

Motion passed 5-4

C. Set Mill Rate

Deputy Mayor Lenares moved the following:

**RESOLVED:**

**In accordance with Section 805 of the Town Charter of the Town of Newington, the Town Council hereby fixes a tax rate of 28.40 mills for the fiscal year beginning July 1, 2009 and ending June 30, 2010, which shall be levied on taxable property in the Town of Newington listed on the October 1, 2008 Grand List, and said tax shall become due and payable in accordance with Section 43-1 of the Newington Code of Ordinances. The Town Manager is hereby authorized to make out and sign the rate bill in accordance with this motion.**

Mayor Wright stated that this tax rate represents a 2.6% tax increase, and although the Council did not want to raise taxes this year, it does want to recognize the needs of the Board of Education and fully fund the Board's requested three-percent increase.

Motion seconded by Councilor Bottalico.

Mayor Wright requested a roll call vote. The vote was unanimous in favor of the motion. Motion passed 9-0.

D. Agent of Record for Property, Casualty and Liability Insurance

Councilor Bottalico moved the following:

**RESOLVED:**

**Pursuant to Town ordinance, the Newington Town Council hereby appoints the firm of R. C. Knox and Company of Hartford, CT as Agent of Record for the Town of Newington for the period covering July 1, 2009 to June 30, 2012 for purposes of soliciting, negotiating, placing, overseeing and monitoring the Town's property, casualty and liability insurance package. The fee for this appointment shall be as follows:**

2009-2010	\$29,333
2010-2011	\$29,333
2011-2012	\$29,333

Motion seconded by Councilor Nasinnyk.

Councilor Bottalico explained that the Committee interviewed three companies and came to the unanimous decision to recommend R.C. Knox.

(Mayor Wright exited the meeting)

Councilor Nasinnyk recognized and thanked Bill Guererra, agent for USI for the past several years, and stated that he did a very good job for the Town. She stated that this was not an easy decision and the Committee feels that R.C. Knox will be able to provide excellent service to the Town at a fair, fixed rate for the next three years.

Motion passed 8-0 (Mayor Wright absent for vote)

- E. Discussion of Legal Opinion re Town Council members serving on various boards, commissions, committees

Town Manager Salomone indicated that the Council has received a communication from Atty. Ancona explaining and supporting his legal opinion on and his interpretation of Section 415 of the Town Charter.

(Mayor Wright rejoined the meeting)

Atty. Ancona stated that his opinion indicates that a committee is an appointive office, and stated that therefore Councilors are prohibited from sitting on committees. Councilor Nasinnyk noted that the Council had originally inquired as to the difference between a board, commission and a committee. Atty. Ancona explained that there is no ostensible difference between the three terms and stated that if a committee is charged with any sort of function of the municipality then it is a public office. Councilor Nasinnyk inquired whether there is any difference between the three groups and inquired whether Councilors who have served on committees have therefore been in violation of the Charter all along going back to the 1960s. Atty. Ancona replied that it hasn't always been the practice of Councilors to sit on committees and indicated that at some point in the 1980s there was a shift in which Councilors began to serve on committees. He noted that Newington's first Mayor, Mr. Reynolds, feels that the intent of Charter section 415 has always been that it is a violation to appoint current Councilors to any committee.

Councilor Bowen noted that former Mayor Reynolds raised this issue during the Charter revision process, and stated that the two attorneys serving the Charter Revision Commission had examined Mr. Reynolds' questions and determined that it is ok for Councilors to serve in these positions. He inquired why Atty. Ancona has changed his position. Atty. Ancona replied that Charter revision falls under the Home Rule Act, a series of State Statutes that require that Charter revision is a de novo exercise. Councilor Bowen clarified that former Mayor Reynolds' questions were actually about Councilors serving on committees in a broader sense and indicated that Attorneys Ancona and Clark were adamant that there was no violation. Councilor Bowen also inquired why Atty. Clark never raised this issue during his review of the Charter during the revision process. Atty. Ancona replied that he is unsure as to why the specific question wasn't specifically addressed.

Councilor Banach remarked that this so-called violation of the Charter is being framed as glaring and blatant with a sense of urgency for Councilors to resign from their positions on committees. He recalled that the Charter Revision Commission reviewed the Charter line-by-line twice and hired special counsel to assist the Commission and he inquired how the problem was not detected at the time. Atty. Ancona replied that he was not the Commission's counsel; the Town hired specialized counsel for the Commission and stated that he does not know the answer to Councilor Banach's question. Councilor Banach stated that he is at a loss to understand how this special counsel didn't catch this, yet now there has been a change of course that appears to be extremely urgent. Mayor Wright inquired of Councilor Boni (a member of Charter Revision Commission) whether the Commission had proposed making changes to section 415. Councilor Boni replied that he recalls the Commission discussing the topic and proposing some changes. Mayor Wright stated that the changes to the section would have allowed Councilors to serve on boards, commissions and committees. Councilor Boni concurred.

Councilor Bowen stated that a major concern that many people had with the proposed changes to the Charter was that the language would be changed to allow Councilors to sit on boards and commissions and stated understanding that there is a huge difference in the functionality between boards and commissions versus committees. He indicated that he sat on the Board of Parks and Recreation for many years prior to becoming a Councilor, noting that he resigned from the Board immediately upon becoming a Councilor, and stated that he has served on many committees for various purposes since

becoming a Councilor. He stated that the Board of Parks and Recreations had inherent decision making powers and made binding decisions for the Town whereas committees function only as an extension of the Council and have no power to make decisions or authority to rule on anything, only to make recommendations to the Council and to bring information back to the Council to make a final decision. He stated that he is against allowing Councilors to sit on boards or commissions because it concentrates the power among too few people but stated that committees can only report back and make recommendations to the body it already represents. He remarked that therefore, there is a difference between boards/commissions and committees. Atty. Ancona agreed that there is a difference but stated that just by sitting on a committee does not mean that a Councilor is not a public officer. He noted Mr. Boorman's remarks that he was incorrect in citing the Code of Ethics in his opinion and Atty. Ancona cited the case of Mural vs. City of New London which dictates that every facet of town and state governments must be looked at when looking for definitions; therefore, he had no choice but to look to the Code of Ethics to define a public official. Councilor Bowen stated that if the Code of Ethics clearly defines terms only used in that document then he is surprised that Atty. Ancona used the document for definitions of terms outside of the document. Atty. Ancona stated that he did so under the direction of the State Supreme Court case. Councilor Cohen stated that it is not unusual for a definition to apply specifically to the particular item being discussed and noted that this occurs throughout Town ordinances and State statutes. She noted that she has even found several examples of where the term "municipality" has different definitions in different sections of statutes. She stated that a definition that applies specifically to the Code of Ethics cannot be moved all over the place. Councilor Cohen noted Charter section 303(b) which states that the Mayor, as directed by the Council, shall appoint such special subcommittees as the Council are required and stated that the subcommittees of the Council include Councilors. She noted that the concern during the Charter revision process was in consideration of adding language that would allow Councilors to be appointed to boards or commissions – a different issue than Councilors serving on committees. She remarked that the Town has been doing it right for forty years and recommended that the Council leave the issue alone.

Councilor Nasinnyk stated that committees are vital to do legwork for the Council. She stated that committees' recommendations go to the Council, first as new business for discussion and then in a later meeting as old business for the Council's vote. She inquired as to what would be the consequences if Councilors choose not to resign from committee positions. Atty. Ancona replied that a civilian who wishes to be seated on a committee could bring an injunctive action requesting that they be seated in the place of the Councilor.

Mayor Wright noted that former Mayor Reynolds had indicated that the intent of Charter section 415 was to not allow Councilors or the Mayor to serve on boards, commissions or committees. Atty. Ancona agreed and stated that the intent was to prevent a concentration of power by politicians. Mayor Wright stated that while the committees are important, if it is illegal for a Councilor to sit on a committee then it should not happen. He stated that he spoke to former Mayor Mazzocolli who indicated that this practice did not occur during his time as Mayor. Mayor Wright remarked that he does not feel that there was any ill intent to purposefully circumvent the Charter but stated that while attending Charter Commission meetings section 415 jumped out at him as something that the Council is violating, as boards, committees and commissions are appointed offices. He noted that he has resigned from his position on the Downtown Revitalization Committee but stated that there are still 39 committee positions held by Councilors that need to be addressed. He stated that there are three options at this point:

1. The Council abides by the Town Attorney's ruling and resigns from all positions on committees
2. The Council ignores the ruling or amends the item in the Charter by forming a Charter Revision Commission
3. The Council obtains a second legal opinion

Mayor Wright commented that he is comfortable with the Town Attorney's opinion and stated that none of the Councilors should be serving on committees.

Councilor Banach remarked that one cannot legislate common sense and stated that it's possible that Councilors started sitting on committees out of necessity, noting that it is sometimes difficult for committees to meet a quorum. He stated that the Council would welcome citizens to step forward to serve on committees but agreed with Councilor Cohen that the Town is well-run and this discussion is creating a problem where none existed. Mayor Wright agreed that committees have done good work for the Town but stated that just because something is inconvenient does not mean the Council can turn a blind eye to it.

Councilor Bowen noted Atty. Boorman's opinion on the topic as well as his ten years of experience as Town Attorney and inquired whether the Mayor would recognize Atty. Boorman's opinion and allow him to come forward in testimony and speak to the Council on the item. Mayor Wright stated that to do so would be out of order and his opinion is not a binding legal opinion for the Town. He stated that the Town would have to contract an attorney for a legal opinion. Councilor Bowen noted Mr. Boorman's experience as Town Attorney and Charter Revision Commissioner and noted that he is in the audience and would be available to address the Council and inquired why the Town should spend money on an additional opinion when there is information available to the Council. Mayor Wright stated that if the Town accepts one free legal opinion then it will be obligated to accept any free legal opinions. He inquired whether the Council would like to obtain another legal opinion. Councilor Bowen noted that the Town Attorney is a political appointment of the Mayor and stated that he had concerns that the special counsel appointed for the Charter Revision Commission was politically motivated and noted that the counsel missed this major issue. Atty. Ancona stated that it would set an odd precedent to begin to accept free legal advice and stating that doing so would not be a wise and prudent move. He noted that under law his opinion would rule anyway. He stated that it is a fairly simple term, in that committees are appointed offices and remarked that he did not anticipate the level of controversy over the opinion.

Deputy Mayor Lenares inquired whether the Councilors can choose to remain on committees. Atty. Ancona replied in the affirmative but stated that his opinion is that Councilors remaining on committees would be doing so contrary to the Charter. Deputy Mayor Lenares stated that the Council is not taking action on the item at this meeting and therefore can remain on committees until action is taken otherwise. Councilor Bowen inquired how it would work if a citizen were to challenge a Councilor's position on a committee. Atty. Ancona replied that the Council would appoint a replacement and stated that the challenge would be in the form of a court action seeking an injunction to remove a Councilor that is sitting on a committee contrary to the Charter.

Councilor Bottalico stated that he is not resigning from any committees. Councilor Cohen stated that she would love to see the day when there are members of the public fighting for positions on committees. Mayor Wright stated that the correct thing to do would be to resign from committees. Councilor Bowen stated that even if he did resign from the committees he would likely still attend the committee meetings in order to gather necessary information. He stated that Councilors missing out on committee meetings means that Councilors will also miss out on information and stated that it is a standing practice that just makes sense. Councilor Cohen noted that according to the Charter, the Mayor has the right to be an ex officio member of any board, commission or other government body of the town but does not have the right to vote. Councilor Nasinnyk noted that the work of committees is of paramount importance for the business of the Council and stated that the business of the Town must move forward. She remarked that she does not believe that commissions, boards and committees are the same thing and stated that it is her opinion at this time that it is best for the Town for her not to resign from committees. Councilor Banach thanked the Town Attorney for his presentation and stated that the people expect the Council to exhibit common sense. He stated that the Council needs to exercise caution in running government. He stated that he does not intend to resign from any committee at this time.

Councilor Nagel moved to add agenda item F-A: Executive Session, re: Property Acquisition to the agenda. Motion seconded by Councilor Boni.

Councilor Bowen suggested to either defer the Executive Session until the end of the meeting or remove the acquisition of property items from the agenda altogether. Mayor Wright stated that it is important to hold the Executive Session at this time in order to discuss items relating to an upcoming resolution, to vote on the resolution and to move forward with the project. Councilor Bowen inquired as to why the acquisition of property – municipal parking lot item even appears as Old Business on the agenda. Mayor Wright noted that the item appeared on the agenda as New Business during the Council's December 2008 meeting.

Mayor Wright requested a roll call vote:

Roll Call Vote:

Councilor Banach – No

Councilor Boni - Yes

Councilor Bottalico – Yes

Councilor Bowen – No

Councilor Cohen – No

Councilor Lenares – Yes  
Councilor Nagel – Yes  
Councilor Nasinnyk – No  
Mayor Wright - Yes  
Motion passed 5-4

Councilor Nagel moved to go into Executive Session, Re: Property Acquisition. Motion seconded by Councilor Boni. Discussion followed.

Mayor Wright requested a roll call vote:  
Roll Call Vote:  
Councilor Banach – No  
Councilor Boni - Yes  
Councilor Bottalico – Yes  
Councilor Bowen – No  
Councilor Cohen – No  
Councilor Lenares – Yes  
Councilor Nagel – Yes  
Councilor Nasinnyk – No  
Mayor Wright - Yes  
Motion passed 5-4

The Council went into Executive Session at 9:47pm. Mayor Wright, all Councilors, Town Manager Salomone and Atty. Ancona were present at the Executive Session. Councilor Boni moved to go out of Executive Session at 10:20pm. Motion seconded by Councilor Bottalico. Motion passed 9-0.

(Note: Tape recording not audible from this point forward. Full minutes will be completed pending receipt of the VHS recording of the meeting.)

The regular meeting resumed at 10:26pm. Councilor Bowen apologized to the members of the public for the interruption.

Councilor Nagel moved to allow the Council to vote on items past 10:30pm. Motion seconded by Councilor Boni. Motion passed 9-0.

F-B Acquisition of Property – Municipal Parking Lot

**Councilor Nagel moved the following:**

**RESOLUTION**

**TO PURSUE ACQUISITION OF THE  
BONELLI PROPERTY**

**RESOLVED: Pursuant to Section 103 of the Newington Town Charter and Section 7-148(c)(3) of the Connecticut General Statutes, the Town of Newington directs its Town Attorney to acquire the vacant lot located behind 1088 Main Street (more particularly described in the attached Schedule A) for the sole public purpose of completing the municipal parking lot project. The Town Council further directs the Town Attorney to negotiate a friendly sale with the owner of said property and should the Town and the owner fail to agree on the terms of such a sale, the Town Attorney shall institute a condemnation proceeding to obtain said vacant land. The subject property is integral to the concept and design of the municipal parking lot and must be pursued for the intended public purpose of improving the town center.**

Motion seconded by Councilor Boni. Lengthy discussion followed.

Mayor Wright requested a roll call vote.  
Roll Call Vote:  
Councilor Banach – No  
Councilor Boni - Yes  
Councilor Bottalico – Yes

Councilor Bowen – No  
Councilor Cohen – No  
Councilor Lenares – Yes  
Councilor Nagel – Yes  
Councilor Nasinnyk – No  
Mayor Wright - Yes  
Motion passed 5-4.

## **V        CONSIDERATION OF NEW BUSINESS**

### **A.        COPS Hiring Grant Application**

Chief Mulhall explained the program to the Council. Discussion followed.

Deputy Mayor Lenares moved to waive the rules to vote on the resolution. Motion seconded by Councilor Bowen. Motion to waive the rules passed 9-0.

Deputy Mayor Lenares moved the following:

**WHEREAS, the federal government has initiated a new program entitled COPS Hiring Recovery Program (CHRP); and**  
**WHEREAS, the Town of Newington must file this application by April 14, 2009 in order to be eligible for consideration of said grant; and**  
**WHEREAS, additional police officers for the Town of Newington is a cost effective and viable contribution to public safety;**  
**NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby authorizes the Town Manager and the Chief of Police to file said application and appropriate documentation.**

Motion seconded by Councilor Banach. Motion passed 9-0.

### **B.        Justice Assistance Grant (JAG)**

Chief Mulhall explained the program to the Council. Discussion followed.

Deputy Mayor Lenares moved to waive the rules to vote on the resolution. Motion seconded by Councilor Bowen. Motion to waive the rules passed 9-0.

Deputy Mayor Lenares moved the following:

**WHEREAS, the federal government has initiated a new program entitled American Recovery and Reinvestment Act of 2009 Justice Assistance Grant (JAG) Program; and**  
**WHEREAS, the Town of Newington must file this application by May 14, 2009 in order to be eligible for consideration of said grant; and**  
**WHEREAS, funding for an additional replacement police cruiser for the Newington Police Department is a cost effective and viable contribution to public safety;**  
**NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby authorizes the Town Manager and the Chief of Police to file said application and appropriate documentation.**

Motion seconded by Councilor Banach. Motion passed 9-0.

### **C.        Small Cities Grant Application Process**

The Council agreed by consensus to table the item until the next meeting.

### **D.        Fair Housing Policy**

Councilor Nagel moved to waive the rules to vote on the resolution. Motion seconded by Councilor Banach. Motion to waive the rules passed 9-0.

Councilor Bottalico moved the following:

**WHEREAS, all American citizens are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and**

**WHEREAS, State and Federal Fair Housing laws require that all individuals, regardless of race, color, religion, sex, national origin, ancestry, marital status, age, mental or physical disability, lawful source of income, sexual orientation, or familial status, be given equal access to rental and homeownership opportunities and be allowed to make free choices regarding housing location; and**

**WHEREAS, the Town of Newington is committed to upholding these laws and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice;**

**NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase and obtain financing for adequate housing of their choice on a non-discriminatory basis; and**

**BE IT FURTHER RESOLVED, that the Town Planner of the Town of Newington or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of any illegal discriminatory housing practices in the Town of Newington.**

Motion seconded by Councilor Bowen. Motion passed 9-0.

E. School Code Compliance Project – Architect Selection

Councilor Nagel indicted that the Committee had interviewed four firms and will recommend Oak Park Architects to be appointed as the architect for the project.

F Bid Waiver for Clem Lemire Paving

Councilor Bowen moved to waive the rules to vote on the resolution. Motion seconded by Councilor Banach. Motion to waive the rules passed 9-0.

Councilor Bottalico moved the following:

**WHEREAS, the Town of Newington utilizes the State of Connecticut bid award for paving materials; and**

**WHEREAS, the supplier, Tilcon, will provide asphalt at the present State bid price of \$74.00 per ton currently in effect; and**

**WHEREAS, the Town will upon completion of paving of Clem Lemire parking lot be purchasing in excess of \$10,000 of paving material; and**

**WHEREAS, \$10,000 is the limit the Town can purchase without a formal sealed bid; and**

**WHEREAS, time is of the essence for completion of this project prior to April 18, 2009;**

**NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 815 of the Newington Town Charter, the Town Council hereby grants a waiver, as requested by the Town Manager, for the requirement of sealed bids for this project and authorizes the Town Manager to purchase in excess of \$10,000 of paving material from Tilcon at \$74.00/ton.**

Motion seconded by Councilor Bowen. Motion passed 9-0.

G Consideration of Recommendation by the Town Hall Building Committee

Councilor Bowen moved to waive the rules to vote on the resolution. Motion seconded by Councilor Banach. Motion to waive the rules passed 9-0.

Councilor Bowen made a motion regarding a recommendation by the Town Hall Building Committee. (Wording of motion to follow) Motion seconded by Councilor Bottalico. Motion passed 9-0.

## **VI RESIGNATIONS/APPOINTMENTS**

- A. Downtown Revitalization Committee
  - 1. Acknowledge resignation of Jeff Wright
  - 2. Appoint a replacement (none)

Councilor Bottalico moved the following:

**RESOLVED:**

**That the Newington Town Council hereby accepts the resignation of Jeff Wright from the Downtown Revitalization Committee effective immediately, in accordance with a communication dated March 25, 2009.**

Motion seconded by Councilor Boni. Motion passed 9-0.

- B. Central Regional Tourism Board
1. Acknowledge resignation of Marie Dowling
  2. Appoint a replacement (none)

Councilor Bottalico moved the following:

**RESOLVED:**

**That the Newington Town Council hereby accepts the resignation of Marie Dowling from the Central Regional Tourism Board effective March 23, 2009 in accordance with a communication dated March 23, 2009.**

Motion seconded by Councilor Bowen. Motion passed 9-0.

- C Appointments to Other Boards and Commissions

Councilor Bottalico moved the following:

**RESOLVED:**

**That the Newington Town Council hereby makes the following appointments:**

**2. Commission on Aging and Disabled**

9 members, 3 year term  
Party Max.: 6  
Remaining Members: 2 Rep., 3 Unaff., 3 Dem

Name	Address	Party	Term	Replaces
Barbara Boni	160 Harding Avenue	R	IMMED.-11/30/10	Vacant (A. Powell res. 6-20-08)

**4. CRCOG Regional Planning Committee**

Name	Address	Party	Term	Replaces
TPZ Rep. Thomas Ganley	223 Goodale	R	IMMED.– 12/31/09	Michael Fox (term exp. 12/31/07)
TPZ Alternate: Michael Casasanta	110 Steeplechase	R	IMMED.– 12/31/09	Thomas Ganley ( <i>de facto</i> 12/31/06)

**7. EMS Committee**

5 members, 2 year term  
Party Max: (4)  
Remaining members: 2 Rep., 1 Dem.

Name	Address	Party	Term	Replaces
Fire Rep.:			IMMED– 12/31/10	Vacancy
NVA Rep.: Scott Woods	15 Woodsedge, Apt. 2C	R	IMMED – 12/31/10	Scott Woods (term exp. 12/31/08)



## 8. Employee Insurance and Pension Benefits Committee

9 members, 2 alternates, 2 year term  
Party Max.: 6  
Remaining members: 5 Rep., 3 Dem.  
Alternates: 0

Name	Address	Party	Term	Replaces
Specialist: Michael Wilbur	142 Nicholson	R	IMMED.-11/30/10	Michael Wilbur (term exp. 11/30/08)
Alternate:			IMMED.-11/30/10	Vacant (Lucy Zocco res. 6/16/05)
Alternate: Jay Krussell	56 Crestview Drive	R	IMMED.-11/30/10	Jay Krussell (term exp. 11/30/08)

## 9. Environmental Quality Commission

11 members, 2 year term  
Party Max: 7  
Remaining members: 5 Rep., 1 Dem.

Name	Address	Party	Term	Replaces
Fire Dept. Rep.:			IMMED.-11/30/09	Vacant (Michael Fox res. 2/26/02)
Fire Dept. Rep.			IMMED.-11/30/09	Vacant (Richard Scialabba res. 8/15/05)
NVA Rep.			IMMED.-11/30/09	Vacant (Steve Perrotti dec.)
Public: Robert Briggaman	75 Groveland Terrace	R	IMMED.-11/30/09	Vacant (R. Briggaman res. 11/30/07)
Public:			IMMED.-11/30/09	Vacant (M. Stamm res. 12/24/08)

## 10. Board of Ethics

7 members, 2 alternates, 4 year term  
Party Max. (Reg. members): 2 Rep., 2 Dem., 3  
Unaf.  
Remaining members: 1 Rep., 2 Unaf., 1 Dem.  
Alternates: 1 Rep., 1 Dem.

Name	Address	Party	Term	Replaces
Bradford Fenn	23 Kirkham Street	R	IMMED.-11/30/12	Bradford Fenn (term exp. 11/30/08)
Christopher Golec	21 River Camp Drive	U	IMMED.-11/30/12	Christopher Golec (term exp. 11/30/08)
			IMMED.-11/30/12	Pat Lavery ( <i>de facto</i> 11-30-96)

## 11. Fair Rent Commission

5 members, 3 alternates, 2 year term  
Party Max. (Reg. members): 4  
Remaining members: 1 Rep., 1 Unaf., 1 Dem.  
Alternates: 1 Rep.

Name	Address	Party	Term	Replaces
Dwelling Unit Landlord: Walter Gualtieri	68 Chestnut Road	R	IMMED.-11/30/10	Walter Gualtieri (term exp. 11/30/08)
Neutral Elector:			IMMED.-11/30/10	Michael Zucker (term exp. 11/30/08)
Alt. Dw. Unit Tenant:			IMMED.-11/30/09	Vacant (11-30-93)
Alt. Neutral Elector:			IMMED.-11/30/09	Vacant (C. Woods res. 3/31/09)

**12. Newington Historical Society & Trust**

3 members, 3 year term  
 Party Max.: 2  
 Remaining members: 1 Dem.

Esther Eddy	200 Church Street	R	IMMED.-11/30/11	Esther Eddy (term exp. 11/30/08)
Jerilyn Nagel	1175 Willard Avenue	I	IMMED.-11/30/11	Robert Randich (term exp. 11/30/08)

**13. Newington Housing Authority**

5 members, 5 year term  
 Party Max.: 4  
 Remaining members: 1 Dem., 1 Rep.

Name	Address	Party	Term	Replaces
Kevin Mason	165 Pheasant Run	D	IMMED.-11/30/10	Kevin Mason ( <i>de facto</i> 11/30/05)
Stephen Karp	79 Eddy Lane	D	IMMED.-11/30/12	Stephen Karp ( <i>de facto</i> 11/30/07)
Sr. Housing Resident: Rita Golden	241 A5 West Hill Road	D	IMMED.-11/30/13	Rita Golden (term exp. 11/30/08)

**15. Library Board**

6 members, 6 year term  
 Party Max.: 4  
 Remaining members: 3 Dem., 2 Rep.

Name	Address	Party	Term	Replaces
Richard Jaworski	198 Kimberley Road	R	IMMED.-11/30/09	Vacant (Iris Larsson res. 3/4/08)

**16. Standing Insurance Committee**

9 members, 2 alternates, 2 year term  
 Party Max.: 6  
 Remaining members: 4 Rep., 2 Dem,  
 Alternates: 0

Name	Address	Party	Term	Replaces
Underwriter/Claim Spec.:			IMMED.-11/30/09	Donald Roberts ( <i>de facto</i> 11/30/07)
Underwriter/Claim Spec.:			IMMED.-11/30/10	Sue Carlson (term exp. 11/30/08)
Underwriter/Claim Spec.: Mike Longo	65 Cedar Ridge Road	R	IMMED.-11/30/10	Mike Longo (term exp. 11/30/08)
Alternate:			IMMED.-11/30/10	Vacant
Alternate: Michael Casasanta	110 Steeplechase Drive	R	IMMED.-11/30/10	Michael Casasanta (term exp. 11/30/08)

**17. Vehicle Appeals Board**

3 members, 2 alternates, 2 year term  
 Party Max.: 2  
 Remaining members: 1 Dem.  
 Alternates: 0

Name	Address	Party	Term	Replaces
			IMMED.-11/30/09	Gil Peterson ( <i>de facto</i> 11/30/07)
			IMMED.-11/30/10	Donna Davies ( <i>de facto</i> 11/30/02)
Alternate:			IMMED.- 11/30/09	Vacant
Alternate: Monica Golec	21 River Camp Drive	R	IMMED.-11/30/10	Monica Golec (term exp. 11/30/08)

**19. Town Plan and Zoning Commission**

7 members, 3 alternates, 4 year term  
Party Max.: 5  
Remaining members: 5 Rep., 2 Dem.,  
Alternates: 1 Rep., 1 Dem.

Name	Address	Party	Term	Replaces
Alternate: David Lenares	41 New Britain Avenue	R	IMMED.-11/30/11	Michael Casasanta (apptd. full member 11/18/08)

**20. Conservation Commission**

7 members, 3 alternates, 4 year term  
Maximum from one party: 5  
Remaining members: 2 Dem., 3 Rep.  
Alternates: 2 Dem., 1 Rep.

Name	Address	Party	Term	Replaces
Michael Longo	65 Cedar Ridge Road	R	IMMED.-11/30/11	Vacant (A. Vasi res. 11-14-08)
Terry DiMartino	12 Cedar Ridge Road	R	IMMED.-11/30/11	Vacant (C. Woods res. 3/31/09)

**21. Development Commission**

9 members, 3 alternates, 3 year term  
Party Max.: 6  
Remaining members: 2 Dem., 5 Rep.  
Alternates: 2 Rep., 1 Dem.

Name	Address	Party	Term	Replaces
Michael Gerhardt	11 Windmill Lane	R	IMMED.-11/30/11	Vacant (M. Dowling res. 1/27/09)
			IMMED.-11/30/09	Vacant (C. Woods res. 3/31/09)

**VII TAX REFUNDS**

Councilor Bowen moved the following:

**RESOLVED:**

**That property tax refunds in the amount of \$494.76 are hereby approved in the individual amounts and for those named on the "Requests for Refund of an Overpayment of Taxes," certified by the Revenue Collector, a list of which is attached to this resolution.**

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

**VIII MINUTES OF PREVIOUS MEETINGS**

**A. Special Meeting, March 23, 2009**

Councilor Banach moved to accept the minutes of the Special Meeting, March 23, 2009 as submitted.  
Motion seconded by Councilor Bottalico. Motion passed 9-0.

**B. Regular Meeting, March 24, 2009**

Councilor Nasinnyk moved to accept the minutes of the Regular Meeting, March 24, 2009 as submitted.  
Motion seconded by Councilor Bowen. Motion passed 9-0.

C. Special Meeting, March 30, 2009

Councilor Bottalico moved to accept the minutes of the Special Meeting, March 30, 2009 as submitted. Motion seconded by Councilor Cohen. Motion passed 9-0.

**IX WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC**

A. Town Manager Reports (no discussion)

**X COUNCIL LIAISON/COMMITTEE REPORTS**

Councilor Nagel reported on the following committees:

- NCTV
- Library Board

**XI PUBLIC PARTICIPATION – IN GENERAL**

Maureen Klett, 104 Harold Drive: Mrs. Klett stated that she served on committees concurrently with her service on the Council dating back to 1985. She stated that the Town Attorney's decision is perplexing and remarked that she does not believe that all of the past Mayors have ignored the issue. She suggested that the Council look at how other area towns address the situation.

Sandy Lallier, 27 Elton Drive: Mrs. Lallier stated that the discussion pertaining to Councilors serving on committees is mind-boggling and she stated hope that Councilors will decide to continue to serve on committees. She implored the Council to slow down and to allow common sense to rule.

Rose Lyons, 46 Elton Drive: Ms. Lyons inquired why the Police Chief was made to wait for three hours before coming before the Council. She also remarked that it was rude to hold an Executive Session in the middle of the meeting and was not respectful of the people in the audience.

**XII REMARKS BY COUNCILORS**

Councilor Cohen remarked that the prior weekend's downtown Easter egg hunt was Val Ginn's idea and she remarked that it was a great success.

Mayor Wright agreed that the Easter egg hunt was fantastic. He noted the upcoming opening day for Newington Little League and the Kiwanis flea market in the center. He remarked that the 2009-2010 budget session is now complete and has accomplished the following:

- Fully fund the Board of Education's three-percent budget increase
- Avoid layoffs of Town employees
- Keeps the tax increase to 2.6%

Mayor Wright thanked everyone who participated in the process.

**XIII ADJOURNMENT**

Deputy Mayor Lenares moved to adjourn the meeting at 11:27pm. Motion seconded by Councilor Bowen. Motion passed 9-0.

Respectfully Submitted,

Mrs. Jaime Trevethan  
Clerk of the Council